



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/823,815 Confirmation No.: 6595
First Named Inventor: Porter, John D. Filing Date: 30 March 2001
Group Art Unit: 2879 Examiner: Guharay, K.
Atty. Docket No.: CT-F139 US
Title: Light-emitting Device Having Light-emissive Particles Partially
Coated with Light-reflective or/and Getter Material
Assignees: Candescent Technologies Corporation,
Candescent Intellectual Property Services, Inc., and
Sony Corporation

Mountain View, California
23 August 2004

**MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450**

LETTER RE CLAIMS

Sir:

With reference to the Notice of Allowance mailed 24 May 2004 for the above patent application, Applicants' Attorney reviewed the allowed claims subsequent to receiving the Notice of Allowance. In that review, Applicants' Attorney determined that dependent Claim 140 should depend from Claim "139" rather than Claim "12" from which Claim 140 now depends.

More particularly, Claim 140 recites "the getter coatings". Claim 12 depends directly from independent Claim 9. Neither Claim 12 nor Claim 9 recites any "getter coating" or "getter coatings". Hence, Claim 140 cannot properly depend from Claim 12. In view of how the claims are structured, Claim 139 is the only claim from which Claim 140 can reasonably depend.

The present application has been tentatively accorded a patent term adjustment (extension) of 254 days. It is the understanding of Applicants' Attorney that submission of

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an amendment under 37 CFR 1.312 to correct the dependency of Claim 140 would run a substantial risk of causing the patent term adjustment to be reduced. Accordingly, this letter is not, and is not to be construed as, an amendment to correct Claim 140. Instead, the purpose of this letter is merely to inform the PTO of the error in Claim 140.

Please place this letter in the PTO file for the above application.

Please telephone Attorney for Applicant(s) at 650-964-9767 if there are any questions.

EXPRESS MAIL LABEL NO.:

EV 337 116 124 US

Respectfully submitted,

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SUBMISSION OF FORMAL DRAWINGS

Sir:

Enclosed for the above patent application are fourteen (14) sheets of formal drawings consisting of Figs. 1 - 18. The enclosed drawings incorporate the revisions requested in the amendments submitted 18 April 2002 and 25 February 2004. By the statement on page 1 (the cover page) of the Notice of Allowability mailed 24 August 2004 that "The drawings filed on 25 February 2004 are accepted by the Examiner" and the statements on page 2 of the Notice of Allowability that "Amendment, filed on 25 February, 2004 has been considered and entered" and that "Amendment of drawing has been acknowledged and overcomes the objection to the drawings", the drawing revisions requested in the 18 April 2002 and 25 February 2004 amendments have been approved. Accordingly, please substitute the enclosed drawings for the informal drawings now on file.

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Please telephone Attorney for Applicant(s) at 650-964-9767 if there are any questions regarding these drawings.

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